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BANKRUPTCY COURT
U.S. DISTRICT COURT
W.D. OF WA AT SEATTLE
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JUDGE SAMUEL J. STEINER
Chapter: 7

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re: Derek Robert DeHaan,
Debtor.

Bankruptcy Case No. 09-13465

UNITED STATES TRUSTEE,
Plaintiff,

Adversary No. 09-01422

v.

DEREK ROBERT DEHAAN.
Defendant.

ANSWER TO COMPLAINT TO DENY
DEBTOR'S DISCHARGE

Defendant, Derek Robert DeHaan ("DeHaan") answers the United States Trustee's
("Plaintiff") Complaint to Deny Debtor's Discharge and states as follows:

I. ANSWER

1 1. In answering Paragraphs 1 to 11 of Plaintiff's Complaint DeHaan admits the
2 same.

3 2. In answering Paragraph 12 of Plaintiff's Complaint, DeHaan admits to testimony
4 that some of the Rents were paid in cash. DeHaan denies testimony that he did not have records
5 to document use of Cash Rents.
6

7 3. In answering Paragraphs 13 to 16 of Plaintiff's Complaint DeHaan admits the
8 same. Defendant further states that it is his intention to pay any collected postpetition rents
9 received by him to the Trustee.
10

11 4. In answering Paragraphs 17 to 18 of Plaintiff's Complaint DeHaan is without
12 knowledge or information sufficient to form a belief as to the truth of the allegations as to
13 Plaintiff's complaint and, therefore, denies the same.
14

15 5. In answering Paragraph 19 of Plaintiff's Complaint DeHaan admits the same.

16 6. In answering Paragraph 20 of Plaintiff's Complaint DeHaan is without
17 knowledge or information sufficient to form a belief as to the truth of the allegations as to
18 Plaintiff's complaint and, therefore, denies the same.
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20 7. In answering Paragraph 21 of Plaintiff's Complaint DeHaan admits the same.

21 8. In answering Paragraphs 22 to 28 of Plaintiff's Complaint DeHaan is without
22 knowledge or information sufficient to form a belief as to the truth of the allegations as to
23 Plaintiff's complaint and, therefore, denies the same.
24

25 9. In answering Paragraph 29 of Plaintiff's Complaint DeHaan admits the same.

26 10. In answering Paragraph 30 of Plaintiff's Complaint DeHaan denies the lack of
27 production.
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2 11. In answering Paragraph 31 of Plaintiff's Complaint DeHaan refers to previous
3 answers.

4 12. In answering Paragraphs 32 to 33 of Plaintiff's Complaint DeHaan denies any
5 intent to hinder, delay, defraud, or conceal. Regarding transfer of property DeHaan is without
6 knowledge or information sufficient to form a belief as to the truth of the allegations as to
7 Plaintiff's complaint and, therefore, denies the same.
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9 13. In answering Paragraph 34 of Plaintiff's Complaint DeHaan refers to previous
10 answers.
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12 14. In answering Paragraphs 35 to 36 of Plaintiff's Complaint DeHaan is without
13 knowledge or information sufficient to form a belief as to the truth of the allegations as to
14 Plaintiff's complaint and, therefore, denies the same.
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16 15. In answering Paragraph 37 of Plaintiff's Complaint DeHaan refers to previous
17 answers.
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19 16. In answering Paragraphs 38 to 43 of Plaintiff's Complaint DeHaan is without
20 knowledge or information sufficient to form a belief as to the truth of the allegations as to
21 Plaintiff's complaint and, therefore, denies the same

22 17. In answering Paragraph 44 of Plaintiff's Complaint DeHaan refers to previous
23 answers.
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25 18. In answering Paragraph 45 of Plaintiff's Complaint DeHaan is without
26 knowledge or information sufficient to form a belief as to the truth of the allegations as to
27 Plaintiff's complaint and, therefore, denies the same
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3 **II. AFFIRMATIVE DEFENSES**

4 By way of further answer and as affirmative defenses to Plaintiff's Complaint, DeHaan
5 alleges and claims as follows:
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7 19. Plaintiff has failed to state a claim upon which relief can be granted.

8 20. Plaintiff's claim is barred by laches, estoppel and/or waiver.

9 21. Plaintiff's alleged damages were caused by its own fault or the fault of others
10 over whom the defendant was not responsible.
11

12 22. Plaintiff lacks standing to bring certain of the actions alleged in the complaint.

13 23. DeHaan expressly reserves the right to raise additional affirmative defenses upon
14 the completion of discovery.
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16 **III. PRAYER FOR RELIEF**

17 WHEREFORE, DeHaan having fully answered Plaintiff's Complaint, and having
18 asserted defenses, now prays that the court grant the relief:
19

20 24. That Plaintiff's Complaint be dismissed with prejudice and without costs;

21 25. That DeHaan be awarded their costs and reasonable attorney's fees herein;

22 26. That DeHaan be granted such other relief as this Court may deem just and proper.
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25 DATED this 9 day of November, 2009.
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By Derek DeHaan
Derek DeHaan, pro se

DECLARATION OF SERVICE

I hereby certify, under penalty of perjury, that on this day I served upon the attorney for Plaintiff, by causing to be faxed and/or filed by ECF a copy of the document to which this certificate is attached.

Dated this 9 day of November, 2009.

By Derek DeHaan
Derek DeHaan, pro se